

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

vs.

Case. No. 3: 99 CR 315-27 (DRD)

**CARMEN NIEVES-ARCE
AKA "CARMENCITA"**

**MOTION REQUESTING MODIFICATION
OF THE SUPERVISED RELEASE CONDITIONS**

**TO THE HONORABLE DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO**

COMES NOW, DESIREE REYES-CALDERON, U.S. PROBATION OFFICER of this Honorable Court, requesting modification of conditions of Carmen Nieves-Arce, who was sentenced on November 17, 2000, to eighty four (84) months of imprisonment to be followed by a five (5) years term of supervised release, after she plead guilty of violating Title 21 U.S.C. § 846. Among the specials conditions imposed, the offender was ordered to participate in a vocational training and/or job placement program recommended by the U.S. Probation Officer.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

As indicated in the Pre Sentence Report, Mrs. Carmen Nieves-Arce has a history of substance abuse since she was an adolescent, which includes marijuana, cocaine and intravenous use of heroin. The previous information was discussed with Mrs. Carmen Nieves -Arce, and although she indicates that she does not have any intention to use illicit drugs, she agreed it would

be in her best interest to have the Court modify her conditions to include urine screens and treatment. A Probation Form 49, Waiver of Hearing to Modify Conditions of Supervised Release was signed by Mrs. Carmen Nieves-Arce.

WHEREFORE, in view of the aforementioned, unless ruled otherwise, it is respectfully requested that the Court modify Mrs. Carmen Nieves-Arce's conditions of supervised release to include the following condition:

1) The defendant shall participate in a substance abuse program arranged and approved by the U.S. Probation Office until duly discharged and submit to urinalysis whenever required to do so. I also agree to contribute to the cost of treatment established by the U.S. Probation Officer.

In San Juan, Puerto Rico, this 15th day of September 2006.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Desirée Reyes-Calderón
Desirée Reyes-Calderón
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on, September 15th, 2005, I electronically filed the foregoing motion with the Clerk of the Court using the EM/ECF system which will send notification of such filing to the following: Edwin Vázquez , Assistant U.S. Attorney, and Marlene Aponte-Cabrera, Defense Counsel.

At San Juan, Puerto Rico this 15th day of September 2006.

s/Desirée Reyes-Calderón
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